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14 Attorneys for Receiver  
15 ROBB EVANS & ASSOCIATES LLC

16  
17 UNITED STATES DISTRICT COURT  
18  
19 DISTRICT OF NEVADA

20 FEDERAL TRADE COMMISSION,  
21 Plaintiff,  
22 v.

23 AWS, LLC, a Nevada limited liability  
24 company; ADAMS CONSULTING, LLC, a  
25 California limited liability company; FBA  
26 DISTRIBUTORS, LLC, a Massachusetts  
27 limited liability company; FBA STORES,  
28 LLC, a Nevada limited liability company;  
GLOBAL MARKETING SERVICES  
L.L.C., a Nevada limited liability company;  
INFO PROS, LLC, a Nevada limited liability  
company; ONLINE AUCTION LEARNING  
CENTER, INC., a Massachusetts  
corporation; ONLINE AUCTION  
LEARNING CENTER, INC., a Nevada  
corporation; CHRISTOPHER F. BOWSER,  
individually and as an officer of FBA  
DISTRIBUTORS, LLC, FBA STORES,  
LLC, INFO SOLUTIONS, LLC, ONLINE  
AUCTION LEARNING CENTER, INC. and  
ONLINE AUCTION LEARNING CENTER,  
INC.; ADAM S. BOWSER, individually and  
as an officer of AWS, LLC, FBA  
DISTRIBUTORS, LLC, FBA STORES,  
LLC, INFO SOLUTIONS, LLC, ONLINE

Case No.: 2:18-cv-00442-JCM-BNW

STIPULATION FOR DISMISSAL WITH  
PREJUDICE OF BANK OF AMERICA,  
N.A.'S COMPLAINT-IN-INTERVENTION  
PURSUANT TO SETTLEMENT

[F.R. CIV. P. 41(a)(1)(A)(ii)]

AUCTION LEARNING CENTER, INC. and  
ONLINE AUCTION LEARNING CENTER,  
INC.; JODY L. MARSHALL, individually  
and as an officer of INFO PROS, LLC and  
INFO SOLUTIONS, LLC; and JEFFERY A.  
GOMEZ, a/k/a JEFF ADAMS or JEFF  
ADAM, individually and as an officer of  
ADAMS CONSULTING, LLC and  
GLOBAL MARKETING SERVICES  
L.L.C.,

Defendants.

This Stipulation for Dismissal of Bank of America's Complaint-in-Intervention with Prejudice Pursuant to Settlement ("Stipulation") is made by and among the Federal Trade Commission ("FTC"), plaintiff in the underlying action, Bank of America, N.A. ("Bank"), the party filing the Complaint-in-Intervention, and Robb Evans & Associates LLC as Receiver ("Receiver") in reference to the following:

RECITALS

A. In September 2018, plaintiff Federal Trade Commission ("FTC") filed a Stipulation and Order Allowing Bank of America, N.A. to Intervene and File Complaint-in-Intervention ("Intervention Stipulation").

B. On September 27, 2018, the Court entered an order approving the Intervention Stipulation and ordering the Bank's Complaint-in-Intervention filed (Doc. No. 96).

C. On September 28, 2018, the Bank filed its Complaint-in-Intervention (Doc. No. 97).

D. On October 5, 2018, the Receiver and the Bank entered into a stipulation extending the deadline for the Receiver to respond to the Complaint-in-Intervention which was approved by the Court by Order entered October 11, 2018 (Doc. No. 108).

E. On November 5, 2018, the FTC filed an answer to the Bank's Complaint-in-Intervention (Doc. No. 109).

F. On November 20, 2018, the Receiver filed an answer to the Bank's Complaint-in-Intervention (Doc. No. 110).

G. The parties have informally exchanged information and authorities related to their respective positions on the issues raised in the complaint-in-intervention and the Bank's right to recover funds turned over to the estate totaling over \$1.7 million based on, among other things, outstanding amounts owed to the Bank by certain receivership defendants as alleged in the Bank's Complaint-in-Intervention.

H. The Receiver has entered into a Settlement Agreement and Release (“Settlement”) with the Bank which the FTC has reviewed. The FTC has advised the parties that it has no objection to the Receiver’s Settlement with the Bank.

I. The Settlement provides for the Bank's Complaint-in-Intervention to be dismissed with prejudice.

## AGREEMENT

NOW, THEREFORE, the FTC, the Bank and the Receiver, as all of the parties to the Bank's Complaint-in-Intervention, hereby stipulate and agree that the Bank's Complaint-in-Intervention shall be and is hereby dismissed with prejudice, with each party to bear its own costs, including attorneys' fees, pursuant to F.R. Civ. P. 41(a)(1)(A)(ii).

Dated: June 21, 2019

FEDERAL TRADE COMMISSION  
Claire Wack  
Miry Kim  
Gregory J. Evans

By: /s/ Claire Wack  
Claire Wack  
Maryland Attorney # 1312190275  
(Admitted in the D. Nev. pursuant  
To LR IA 11-3)  
Miry Kim  
Washington Bar # 31456  
(Admitted in the D. Nev. pursuant  
To LR IA 11-3)  
Gregory J. Evans  
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(Admitted in the D. Nev. pursuant  
To LR IA 11-3)  
FEDERAL TRADE COMMISSION

## Attorneys for Federal Trade Commission

[SIGNATURES CONTINUED ON NEXT PAGE]

1  
2 Dated: June 21, 2019

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3 By:/s/ Lars K. Evensen  
4

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John D. Bowen  
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10 Attorneys for Bank of America, N.A.  
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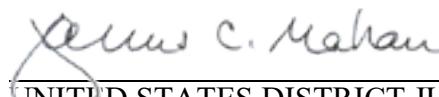
12 Dated: June 21, 2019

LYNCH LAW PRACTICE, PLLC  
MICHAEL F. LYNCH

13 DIAMOND MCCARTHY LLP  
14 CHRISTOPHER D. SULLIVAN  
LESLEY ANNE HAWES  
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16 By: /s/ Lesley Anne Hawes  
17 Lesley Anne Hawes  
18 Admitted *Pro Hac Vice*  
Attorneys for Receiver  
Robb Evans & Associates, LLC  
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21 IT IS SO ORDERED.

22   
23 UNITED STATES DISTRICT JUDGE  
24 DATED: June 25, 2019  
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28

**CERTIFICATE OF SERVICE**

I hereby certify that on June 21, 2019, I caused the foregoing document to be served by the following means to the persons listed below:

**CM/ECF electronic filing system:**

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**By direct email (as opposed to through the ECF System)**

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J James C Bastian Jr. [jbastian@shbllp.com](mailto:jbastian@shbllp.com)

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 21, 2019.

/s/ *Catherine Burrow*

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